

OSCAR LEESER
MAYOR

JOYCE WILSON
CITY MANAGER



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
LARRY ROMERO, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
CARL L. ROBINSON, DISTRICT 4
MICHEL R. NOE, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
LILIA LIMON, DISTRICT 7
CORTNEY CARLISLE NILAND, DISTRICT 8

AGENDA FOR REGULAR COUNCIL MEETING

June 25, 2013
COUNCIL CHAMBERS, CITY HALL
8:30 a.m.

AND

LEGISLATIVE REVIEW MEETING OF THE WHOLE
300 N. CAMPBELL
MAIN CONFERENCE ROOM, 2ND FLOOR
June 24, 2013
9:00 a.m.

NOTICE: At any time during the Council meeting, the City Council may meet in executive session pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss items as permitted by law.

PLEASE NOTE: If items are scheduled for the Executive Session, the Council will move to Executive Session at 12:00 p.m. (noon) for the consideration of those items, or will hear the items at the end of the agenda or as determined by the Presiding Officer, whichever occurs first.

ROLL CALL

INVOCATION BY POLICE CHAPLAIN CARLOS FLORES

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS

1. OLYMPIC DAY WITH EL PASO PARKS AND RECREATION DEPARTMENT
2. INDEPENDENTS' WEEK
3. INTERNATIONAL DAY AGAINST DRUG ABUSE AND ILLICIT TRAFFICKING

CALL TO THE PUBLIC – PUBLIC COMMENT

This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.

A sign-up form is available on line at https://www.elpasotexas.gov/muni_clerk/contact_public.asp for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

REGULAR AGENDA – OTHER BUSINESS

1. MAYOR AND COUNCIL:

- 1A.** Discussion and action on the election of Mayor Pro Tempore and Alternate Mayor Pro Tempore.
[City Attorney's Office, Sylvia Borunda Firth, (915) 541-4550]
- 1B.** Discussion and action on a Resolution adopting the Rules of Order for City Council meetings.
[City Attorney's Office, Sylvia Borunda Firth, (915) 541-4550]

REGULAR AGENDA - INTRODUCTION

INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:

**Public comment typically is not taken during the introduction of ordinances.
Public comments are invited at the date of the scheduled public hearing.**

- 1C.** An Ordinance Establishing Deadlines and Procedures For Placing Matters on the Agenda For City Council Meetings and Repealing Ordinance No. 017616.
[City Attorney's Office, Sylvia Borunda Firth, (915) 541-4550]

PUBLIC HEARING WILL BE HELD ON JULY 2, 2013, FOR ITEM 1C

Public Hearings will be held as part of the regular City Council meeting that begins at approximately 8:30 a.m. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 300 N. Campbell, Monday through Thursday, 7:00 a.m. to 6:00 p.m.

NOTICE

Requests to speak must be received by **8:30 a.m.** on the date of the meeting.
30 Minutes total is allotted for speakers.
Three to five minutes may be allowed for each speaker.

NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting. The wording of all agenda items shall appear in the minutes of this meeting of the City Council as posted, unless otherwise revised by this or other motion of Council, without the necessity of the City Clerk reading the wording of each item into the record.

CONSENT AGENDA

2. APPROVAL OF MINUTES:

Approval of Minutes for the Regular City Council Meeting of June 18, 2013.
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

3. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

4. RESOLUTIONS:

- 4A.** A Resolution amending Schedule C for the City of El Paso FY2013 Budget and to establish the registration fee for Credit Access Businesses to obtain a Certificate of Registration. **(All Districts)**
[City Development, Victor Morrison-Vega, (915) 541-4556]
- 4B.** A Resolution approving a tax exemption application for 2731 Portland Avenue, located in the City of El Paso, El Paso, Texas, pursuant to Section 3.04.035 and Title 20.20 of the El Paso City Code. **(District 2)**
[City Development, Providencia Velazquez, (915) 541-4027]
- 4C.** That the City Manager be authorized to sign an Overhead Electrical Easement to accommodate the re-routing of a portion of an electrical transmission line in the vicinity of the new proposed Ballpark facility, said easements more particularly described as a portion of Lot 30, Block C, Stevens Replat A, City of El Paso, El Paso County, Texas. **(District 8)**
[Engineering and Construction Management, Irene D. Ramirez, (915) 541-4428]

5. BOARD APPOINTMENTS:

- 5A.** Maria Teran to the Open Space Advisory Board by Representative Michiel R. Noe, District 5. [Representative Michiel R. Noe, (915) 541-4701]
- 5B.** Terry M. Breaux to the Fair Housing Task Force by Representative Michiel R. Noe, District 5. [Representative Michiel R. Noe, (915) 541-4701]
- 5C.** Ana Roush to the Parks and Recreation Advisory Board by Representative Cortney Carlisle Niland, District 8.
[Representative Cortney Carlisle Niland, (915) 541-4268]

6. FOR NOTATION:

Accept the donation of \$1000 from El Paso Electric Company for Movies in the Park in District 5. [Representative Michiel R. Noe, (915) 541-4701]

7. APPLICATIONS FOR TAX REFUNDS:

That the tax refunds listed on the attachment posted with this agenda be approved.
(See Attachment A) **(All Districts)** [Tax Office, David Childs, (915) 541-4598]

8. REQUESTS TO ISSUE PURCHASE ORDERS:

- 8A.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to exercise the City's option to extend current Contract No. 2010-242 (Coat-Tar Pavement Sealer (Airport Grade)) to SYH, LLC dba SealMaster of Albuquerque, NM for two additional years pursuant to the provisions of an award approved by the City Council on August 24, 2010. The extended contract period will be from August 24, 2013 to August 23, 2015.

Department:

Department of Aviation

Award to:	(El Paso International Airport) SYH, LLC dba SealMaster Albuquerque, NM
Option to Extend:	One [of One]
Annual Estimated Award:	\$116,640
Total Estimated Award:	\$233,280 (2 year)
Account No.:	562-62050-3000-531210
Funding Source:	Inventory Purchase – Material and Supplies
Districts:	All

This is a Low Bid, supplies contract.

[Financial Services, Bruce D. Collins, (915) 541-4313]

[Aviation, Monica Lombrana, (915) 780-4793]

- 8B.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Zonar Systems, Inc., a contractor under PEPPM Technology Purchasing Program for purchase of GPS Tracking System & Services. The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing.

The participation by the City of El Paso in the PEPPM Technology Purchasing Program was approved by Mayor and City Council on December 13, 2011.

Department:	Environmental Services Department
Award to:	Zonar Systems, Inc. Seattle, Washington
Total Estimated Award:	\$57,468.10
Account No.:	3150-34060-580100-PSWM00170
Funding Source:	Data Processing Equipment
Districts:	All
Reference No.:	2013-237

This is a Cooperative (unit price) contract.

[Financial Services, Bruce D. Collins, (915) 541-4313]

[Environmental Services, Kurt Fenstermacher, (915) 621-6700]

- 8C.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to (Siddons Martin Emergency Group) under Texas Association of School Boards (TASB) Buyboard Contract No. 400-12 (Ambulances) for the purchase of three Road Rescue Pro Medic Series Ambulances each with Radio and Equipment for the Fire Department. The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing.

The participation by the City of El Paso in the Texas Association of School Boards (TASB Buyboard) was approved by Mayor and City Council on August 21, 2007.

Department:	Fire
Award to:	Siddons Martin Emergency Group Denton, Texas
Total Estimated Award:	\$485,187.00 (3 Units)

Account No.:	4960-322-22090-580070
Funding Source:	Fire Capital Fund
Districts:	All
Reference No.:	2013-250

This is a Cooperative, unit price contract.
 [Financial Services, Bruce D. Collins, (915) 541-4313]
 [Fire, Samuel Peña, (915) 584-5605]

9. **BEST VALUE PROCUREMENT:**

The award of Solicitation No. 2013-187 (Janitorial Services - Municipal Court (Re-Bid)) to Eagle Janitorial Service for an initial term estimated award of \$104,686.92.

Department:	Municipal Clerk
Award to:	Eagle Janitorial Service
	El Paso, TX
Item(s):	All
Initial Term:	3 Years
Option to Extend:	2 Years
Payment Terms:	3% - 20 days
Annual Estimated Award:	\$ 34,895.64
Total Initial Term Award:	\$104,686.92 (3 Years)
Total Estimated Award:	\$174,478.20 (5 Years)
Account No.:	111-11030-1000-522060
Funding Source:	Maintenance Services Contract - Janitorial
Districts:	All

This is a Best Value, service contract.

The Financial Services - Purchasing Division and Municipal Clerk recommend award as indicated to Eagle Janitorial Service the bidder offering the best value bid.

[Financial Services, Bruce D. Collins, (915) 541-4313]
 [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

REGULAR AGENDA - INTRODUCTIONS

10. **INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:**

**Public comment typically is not taken during the introduction of ordinances.
 Public comments are invited at the date of the scheduled public hearing.**

- 10A.** An Ordinance amending the 2025 Proposed Thoroughfare System, as incorporated into Plan El Paso, to delete a portion of Van Buren Avenue from Alabama Street to Dyer Street currently designated as a minor arterial and collector arterial, to delete a portion of Monroe Avenue from Alabama Street to Dyer Street currently designated as a minor arterial and collector arterial, to delete a portion of Raynor Street from Van Buren Avenue to Pierce Avenue currently designated as a collector arterial, to add River Bend Drive as a collector arterial from Frontera Road to Sunset Drive, to delete a portion of Mills Avenue from Oregon Street to San Francisco Street currently designated as a minor arterial and to delete a portion of El Paso Street from San Francisco Street to the

northerly intersection with San Antonio Avenue currently designated as a minor arterial. **(Districts 2 and 8)**

[Department of Transportation, Kevin Smith, (915) 346-1787]

PUBLIC HEARING WILL BE HELD ON JULY 2, 2013, FOR ITEM 10A

- 10B.** An Ordinance changing the zoning of Lot 3 and the east half of Lot 2, Block 59, East El Paso Addition, City of El Paso, El Paso County, Texas from R-5 (Residential) to A-O (Apartment/Office). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 3405 Gateway West Boulevard. Property Owner: Richard Brent Aziz. PZRZ13-00010 **(District 2)**
[City Development, Arturo Rubio, (915) 541-4633]
- 10C.** An Ordinance amending Title 20 (Zoning), Chapter 20.18 (Sign Regulations), Article IV (On-Premise Sign Regulations) of the El Paso City Code to amend sign standards for wall signs and establish standards for perpendicular signs in the C-5 and Union Plaza (U-P) zoning districts. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. **(All Districts)**
[City Development, Arturo Rubio, (915) 541-4633]
- 10D.** An Ordinance granting Special Permit No. PZST12-00026, to allow for the expansion of a major utility facility for El Paso Electric Company on the property described as a portion of Block 7, Celina Plaza, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.730 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code. Subject Property: 1165 Sunmount Drive. Applicant: El Paso Public Service Board (PSB). PZST12-00026 **(District 3)** [City Development, Arturo Rubio, (915) 541-4633]

PUBLIC HEARING WILL BE HELD ON JULY 16, 2013, FOR ITEMS 10B – 10D

Public Hearings will be held as part of the regular City Council meeting that begins at approximately 8:30 a.m. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 300 N. Campbell, Monday through Thursday, 7:00 a.m. to 6:00 p.m.

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

11. FINANCIAL SERVICES:

1. Discussion and action that the Purchasing Manager is authorized to notify Bridgers Coaches, Inc. dba Taylor Made Ambulances, that the City is terminating Contract No. 2012-310 (Ambulance Remounts) for default pursuant to the provisions and requirements of Section C, Paragraph 8B of the Contract Clauses, due to the contractors failure to provide the performance and payment bonds as specified under the contract and that the termination shall be effective as of June 11, 2013.

Department: Fire Department
(All Districts)

[Financial Services, Bruce D. Collins, (915) 541-4313]

[Fire, Terry K. Kebschull, (915) 771-0176]

[POSTPONED FROM 06-11-13]

2. Discussion and action on the award of Solicitation No. 2013-182 (Ambulance Remounts) to Life Star Rescue for an initial term estimated award of \$1,766,673.89.

Department:	Fire Department
Award to:	Life Star Rescue
	Van Wert, Ohio
Item(s):	All
Option to Extend:	2 years
Annual Estimated Award:	\$ 588,891.29
Initial Term Estimated Award:	\$1,766,673.89 (3 years)
Option Amount:	\$1,177,782.58 (2 years)
Total Estimate Award:	\$2,944,456.47 (5 years)
Account No.:	4960-322-22090-580070
	4960-322-22090-580070-PENCON0060
Funding Source:	Capital Fund and Fire Capital
Districts:	All

This is a Best Value, unit price contract.

The Financial Services - Purchasing Division and Fire Department recommend award to Live Star Rescue, the vendor offering the best value bid.

[Financial Services, Bruce D. Collins, (915) 541-4313]

[Fire, Terry Kebschull, (915) 771-1071]

[POSTPONED FROM 06-11-13]

REGULAR AGENDA – OTHER BUSINESS

12. FINANCIAL SERVICES:

Discussion and action on a Resolution that the City Manager be authorized to exercise the City's extension option contained in the Interlocal Agreement between the City of El Paso (City) and El Paso County Community College District (EPCC) dated November 16, 2010, whereby EPCC agrees to provide medical training to the City's Emergency Medical Services (EMS) system at a cost to the City in FY 2014 not to exceed \$334,037.00. Said extension shall have an effective date of September 1, 2013 and a termination date of August 31, 2014.

Department:	Fire
Districts:	All

[Financial Services, Bruce D. Collins, (915) 541-4313]

[Fire, Samuel Peña, (915) 485-5600]

13. TAX OFFICE:

Discussion on the Amended and Restated Contract for Consolidated Tax Collection between the City of El Paso and participating entities for which the City collects ad valorem taxes. **(All Districts)** [Tax Office, David Childs, (915) 541-4598]

EXECUTIVE SESSION

The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act and the Rules of City Council.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES
Section 551.087	DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

- EX1.** Carl Starr v. John Cook, et. al., Cause 2013-DCV0072 (551.071)
[City Attorney's Office, Kenneth Krohn (915) 541-4550]
- EX2.** Carl Starr v. The City of El Paso, et al., Cause No.: EP-12-CV-0404FM (551.071)
[City Attorney's Office, Kenneth Krohn (915) 541-4550]
- EX3.** City of El Paso, Texas v. Osteo-Imaging, et al., Cause No. 2012-DCV03352 (551.071)
[City Attorney's Office, Kenneth Krohn (915) 541-4550]
- EX4.** Patriot Place, Ltd. Bankruptcy Case No. 11-310224-hem (551.071)
[City Attorney's Office, Theresa Cullen (915) 541-4550]

NOTICE TO THE PUBLIC:

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print, or audiotape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

ALL REGULAR CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET EVERY THURSDAY AT THE ADDRESS BELOW:

<http://www.elpasotexas.gov/>